

REMARKS

Reconsideration is respectfully requested.

Entry of the above amendments is courteously requested in order to place all claims in this application in allowable condition and/or to place the non-allowed claims in better condition for consideration on appeal.

Claim 10 remains in this application. Claims 1 through 9 have been cancelled. No claims have been withdrawn or added.

The Examiner's rejections will be considered in the order of their occurrence in the Office Action.

Paragraph 3 of the Office Action

The specification has been objected to as failing to provide proper antecedent basis for the claimed subject matter.

The specification has been amended in a manner believed to clarify any informalities in the language, particularly at the points identified in the Office Action.

Withdrawal of the objection is respectfully requested.

Paragraph 4 of the Office Action

Claims 1, 5 and 10 have been objected to for the informalities noted in the Office Action.

Claims 1 and 5 have been cancelled, and claim 10 has been amended in a manner believed to clarify any informalities in the language.

Withdrawal of the objection to claim 10 is therefore respectfully requested.

Paragraph 5 of the Office Action

Claims 1, 5 through 7, 9 and 10 have been rejected under 35 U.S.C. §112 (second paragraph) as being indefinite.

The above amendments to claim 10 are believed to clarify the requirements of the rejected claims, especially the particular points identified in the Office Action.

Withdrawal of the §112 rejection of claim 10 is therefore respectfully requested.

Paragraph 6 of the Office Action

Claims 1, 5 through 7, 9 and 10 have been rejected under 35 U.S.C. Section 103(a) as being unpatentable over Arnos in view of Landy.

Claim 10 has been written into independent form with no new limitations. Claim 10 requires, in part, "wherein said arcuate exterior surface of said retention portion of said body member forms a teardrop shape, said retention portion comprising a narrow end representing the narrow portion of said teardrop shape such that said narrow end is coupled to said base portion, said teardrop shape of said retention portion providing a gradual incline such that said teardrop shape of said retention portion is adapted for facilitating selectively sliding one of the writing implements along said arcuate exterior surface of said retention portion by the user when the user removes one of the writing implements from said body member".

It is conceded in the Office Action that Arnos does not disclose "the limitation of the base portion tapering in thickness from the retention portion to the free end of the base portion such that the base portion is substantially wedge shaped for facilitating sliding of the base portion under the object". It is then asserted that:

Landy teaches a device having a base portion (160) for positioning under a object (110) and a retention portion (180), and wherein the base portion tapers in thickness from the retention portion to the free end of the base portion such that the base portion is substantially wedge shaped.

It is further contended that:

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified the base portion in Arnos to have included the wedge shape as taught by Landy for the purpose of creating an angle of the device relative to the support surface to provide a tilt angle for the object supported by the base portion.

However, it is submitted that one of ordinary skill in the art, considering the teaching of the Arnos patent, would not be motivated to make the modification of the Arnos device advocated in the rejection of the Office Action. More specifically, the Arnos device is specifically designed to provide an elevated surface with respect to the keyboard for resting the wrists of the user on while using the keyboard. The proposed modification of Arnos set forth in the Office Action would have the effect of raising the keyboard, which would negate any beneficial effect of the Arnos device in properly orienting the user's wrists, or would require that the wrist rest of Arnos be positioned so far from the keyboard so as to be difficult if not impossible to use. It is noted that while Landy is designed to raise a monitor to facilitate viewing, the Arnos patent shows the use of its device adjacent to a keyboard to raise the wrist relative to the keyboard (and not the keyboard relative to the wrist), and the keyboard does not benefit from being banked or angled upwardly as does the monitor.

It is therefore submitted that the cited patents, and especially the allegedly obvious combination of Arnos and Landy set forth in the rejection of the Office Action, would not lead one skilled in the art to the applicant's invention as required by claim 10.

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Withdrawal of the §103(a) rejection of claim 10 is therefore respectfully requested.

CONCLUSION

In light of the foregoing amendments and remarks, early reconsideration and allowance of this application are most courteously solicited.

Respectfully submitted,

WOODS, FULLER, SHULTZ & SMITH P.C.



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Jeffrey A. Proehl (Reg. No. 35,987)
Customer No. **40,158**
P.O. Box 5027
Sioux Falls, SD 57117-5027
(605)336-3890 FAX (605)339-3357